

IN THE SUPREME COURT OF THE STATE OF DELAWARE

THOMAS BRITTINGHAM,	§
	§ No. 505, 2010
Defendant Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr. ID No. 0801002698
	§
Plaintiff Below-	§
Appellee.	§

Submitted: October 4, 2010

Decided: October 8, 2010

ORDER

This 8th day of October 2010, it appears to the Court that, on September 20, 2010, the Clerk of the Court issued a notice to show cause why this appeal should not be dismissed as moot because the Superior Court's August 19, 2010 order modified the appellant's sentence in the manner he requested. The appellant has failed to respond to the notice to show cause within the required 10-day period. Therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 3(b) and 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice